

FILED

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

APR 13 1999

TIMOTHY R. WALBRIDGE, CLERK
U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF OKLAHOMA

IN RE:

McNAIR, ALICE M.,

Debtor.

FCC National Bank, d/b/a FIRST CARD,

Plaintiff,

vs.

ALICE M. McNAIR,

Defendant.

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) Case No. 98-02525-M
) Chapter 7
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) Adversary No. 98-0269-M
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Journal Entry of Judgment

NOW on this 12th day of April, 1999, came on for consideration on the stipulation of the parties. Plaintiff FCC National Bank, d/b/a FIRST CARD, appeared by its attorneys of record, TIPS & GIBSON, and Defendant appeared by her attorney, Karen Carden Walsh. Both parties announced that a settlement had been reached under the following terms, conditions and stipulations:

1. The Court has full and complete jurisdiction and venue over this adversary proceeding and the parties.
2. This is a core proceeding.
3. It is agreed that the said sum of **\$8,565.67** is nondischargeable and that judgment should be granted to the Plaintiff in that sum, plus interest, attorney's fees, and accrued and accruing costs.
4. It is further agreed that if the Defendant pays the Plaintiff the sum of **\$2,099.00** with no accruing interest in **41** consecutive monthly payments of **\$50.00**,

commencing the 10th day of ~~February~~^{March}, and each month thereafter, with one final payment thereafter of \$49.00, such total payment of \$2,099.00 will be accepted as full and complete settlement of this obligation.

5. It is further agreed that, however, if Defendant defaults under the terms of this settlement, the Plaintiff shall have final judgment against the Defendant Alice M. McNair in the full sum of \$8,565.67, with interest thereon from date of this judgment, at the contractual interest rates as set forth in Plaintiff's *Complaint* (cardholder's agreement), attorney's fee and all costs accrued and accruing, as set by the Court.

6. It is further agreed that a reasonable attorney's fee in this matter is \$500.00 and that the costs expended to date are \$161.51.

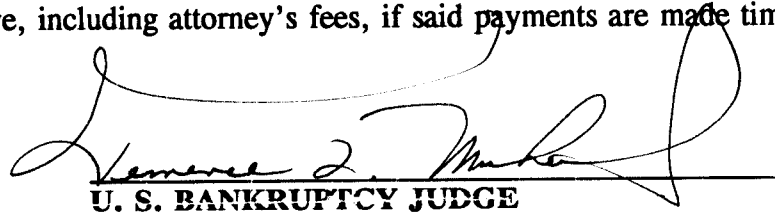
THE Court having reviewed and approved the stipulations of the parties, finds and, it is: THEREFORE ADJUDGED AND DECREED that the indebtedness due Plaintiff FCC National Bank, d/b/a FIRST CARD, from Defendant/Debtor Alice M. McNair, in the amount \$8,565.67 be, and is determined to be nondischargeable; and it is

FURTHER ORDERED, ADJUDGED AND DECREED that FCC National Bank, d/b/a FIRST CARD, is granted a judgment against Alice M. McNair, for the principal sum of \$8,565.67, plus interest at as set forth above from date of judgment, a reasonable attorney's fee of \$500.00, and accrued and accruing costs; and it is

FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the Defendant/Debtor, Alice M. McNair, is hereby granted a stay of execution conditioned upon her payment to the Plaintiff the sum of \$2,099.00, payable in 41 consecutive monthly payments of \$50.00 per month commencing on the 16th day of ~~February~~^{March}, 1999, each and every

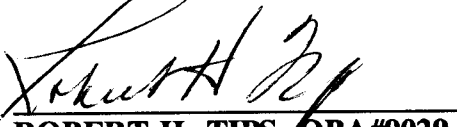
month thereafter, and one final payment thereafter of \$49.00, until said total sum of \$2,099.00 is paid in full.


FURTHER ORDERED, ADJUDGED AND DECREED by the Court that this judgment shall be satisfied in full upon the payment of the said total sum of \$2,099.00 payable as shown in the payment schedule above, including attorney's fees, if said payments are made timely as set forth above.

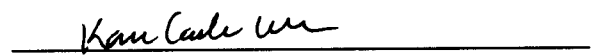

U. S. BANKRUPTCY JUDGE

Approved as to Form and Content:

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NOTICE: THIS IS AN ATTEMPT TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.